

EXHIBIT K

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CALIFORNIA SPORTFISHING PROTECTION ALLIANCE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CALIFORNIA SPORTFISHING
PROTECTION ALLIANCE,

Plaintiff,

v.

PACIFIC BELL TELEPHONE COMPANY,

Defendant.

Case No. 2:21-cv-00073-JDP

PLAINTIFF'S INITIAL DISCLOSURES

I. PRELIMINARY STATEMENT

Rules 26(a)(1)(A)(i) and 26(a)(1)(A)(ii) of the Federal Rules of Civil Procedure require the disclosure of the existence of documents and identification of individuals that the disclosing party “may use to support its claims or defenses, unless the use would be solely for impeachment.” Rule 26(a)(1)(A)(iii) of the Federal Rules of Civil Procedure requires a computation of damages claimed. Rule 26(a)(1)(A)(iv) of the Federal Rules of Civil Procedure requires the disclosure of any relevant insurance that may be available to satisfy all or part of judgment or to reimburse or indemnify payments made to satisfy the judgment.

Accordingly, and without waiver of the attorney client privilege or any other applicable privilege or doctrine, Plaintiff California Sportfishing Protection Alliance (“CSPA” or “Plaintiff”) makes the following initial disclosures in this action. These are made to the best of Plaintiff’s current knowledge and ability. Plaintiff reserves the right to supplement these disclosures in accordance with the Federal Rules of Civil Procedure.

II. FEDERAL RULE OF CIVIL PROCEDURE 26(A)(1)(A)(I)

Chris Shutes, Executive Director of CSPA, may have information specific to the issue of standing. Plaintiff’s mailing address is P.O Box 1061, Groveland, CA 95321. Plaintiff’s counsel will accept service of any discovery requests addressed to Mr. Shutes.

Plaintiff is also aware that the following persons may have discoverable information that support Plaintiff’s claims:

1. Environmental Defense Fund
2. Monique Fortner
3. Seth Jones
4. Marine Taxonomic Services
5. Pace Analytical Services
6. Complete Environmental Testing, Inc.

Plaintiff also refers Defendant to the following regulatory agencies, which may have information related to Plaintiff’s claims, including Defendant’s ownership and operation of the cables at issue in Plaintiff’s claims.

1 California State Lands Commission
2 100 Howe Avenue Suite 100-South
3 Sacramento, CA 95825

4 Lahontan Regional Water Quality Control Board
5 2501 Lake Tahoe Blvd
6 So. Lake Tahoe, CA 96150

7 State Water Resources Control Board
8 1001 I Street
9 Sacramento, CA 95814

10 US Army Engineer District, Sacramento
11 1325 J Street, Room 1440
12 Sacramento, California 95814-2922

13 Tahoe Regional Planning Authority
14 PO Box 5310
15 Stateline, NV 89449

16 California Department of Fish and Wildlife
17 715 P Street
18 Sacramento, CA 95814

19 California State Parks
20 715 P Street
21 Sacramento, CA 95814

22 U.S. Forest Service
23 Pacific Southwest Region (Map)
24 1323 Club Drive
25 Vallejo, CA 94592

26 Plaintiff also believes that officers, directors, and employees of Defendant may have
27 discoverable information, which Plaintiff may use to supports its claims, including related to the
28 ownership, operation, and composition of the cables at issue in this action.

Plaintiff also refers Defendant to the documents identified in Section III herein, which may
include additional names and contact information for individuals that may have information regarding
Plaintiffs' claims. Individuals named in a particular document may have information on the subjects
to which that document refers.

Plaintiff's investigation is ongoing, and additional individuals with information related to
Plaintiff's claims, including on the issue of standing, may be identified at a later date.

1 **III. FEDERAL RULE OF CIVIL PROCEDURE 26(A)(1)(A)(II)**

2 Plaintiff has identified the following categories of documents held by Plaintiff that may be
3 relevant to the alleged claims:

- 4 1. Photographs of cables that are the subject of Plaintiff's claims;
- 5 2. Leases, rights-of-way, and related documents issued to Defendant for the cables that
6 are the subject of Plaintiff's claims; and
- 7 3. Documents Defendant obtained via the third-party document subpoenas.

8 Plaintiff does not intend to produce documents that are already in possession of Defendant. Plaintiff
9 reserves all rights to subsequently produce additional documents to support some or all of its claims
10 as those documents are discovered or become available.

11 **IV. FEDERAL RULE OF CIVIL PROCEDURE 26(A)(1)(A)(III)**

12 No damages are requested in this action.

13 **V. FEDERAL RULE OF CIVIL PROCEDURE 26(A)(1)(A)(IV)**

14 Plaintiff has no information to disclose pursuant to Fed. R. Civ. P. 26(a)(1)(A)(iv).

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16 Respectfully Submitted,

17 LAW OFFICES OF ANDREW L. PACKARD

18 By: /s/ Andrew L. Packard

19 Andrew L. Packard
20 Attorney for Plaintiff
21 CALIFORNIA SPORTFISHING
22 PROTECTION ALLIANCE
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